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Federation of Irish Sport

Data Protection Policy

Introduction:

This Policy sets out the obligations of The Federation of Irish Sport (“Irish Sports Matters Ltd”) regarding data protection and the rights of employees, service providers (contractors/sole traders) and business contacts (“data subjects”). This includes obligations in dealing with personal data, in order to ensure that the organisation complies with the requirements of the European Regulation, namely the General Data Protection Regulation (GDPR) together with the Data Protection Act (1988), the Data Protection (Amendment) Act (2003) and the Data Protection Act 2018 (the Acts), as and from 25th May 2018. The purpose of Irish data protection law is to protect the privacy rights of individuals (e.g. right of access) and ensure transparency in relation to how Personal Data is processed.

In order to carry out its regulatory functions, The Federation of Irish Sport (“Irish Sports Matters Ltd”), needs to collect and process (use) personal information relating to many categories of people, including but not limited to employees of the Federation of Irish Sport, members, sporting organisations, service providers, board members, partners and preferred suppliers.

The Regulation defines “personal data” as any information relating to an identified or identifiable natural person (a data subject); an identifiable natural person is one who can be identified directly or indirectly, in particular by reference to an identifier such as a name, and identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.



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The Federation of Irish Sport is committed not only to the letter of the law, but also to the spirit of the law and places high importance on the correct, lawful and fair handling of all personal data, respecting the legal rights, privacy and trust of all individuals with whom it deals.

Policy Objective

The principal objective of this policy is to demonstrate the Federation of Irish Sports commitment to compliance with data protection law and principles and, the protection of all Personal Data, whether in paper or electronic format, from the threat of loss (internal or external, deliberate or accidental), unauthorized access, alteration, disclosure or destruction.

The Federation of Irish Sport intends to achieve this by:

- creating within The Federation of Irish Sport a level of awareness of the requirements of data protection law among all those to whom this policy applies;
- ensuring all individuals are aware of and comply with this policy and any related policies, processes or procedures;
- enabling all employees to identify and manage the data protection related risks arising within their business area;

ensuring that all employees have implemented appropriate procedures and processes to ensure data protection compliance.



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Scope

This Policy sets out the procedures that are to be followed when dealing with personal data. The procedures and principles set out herein must be followed at all times by The Federation of Irish Sports employees, agents, contractors or other parties working on behalf of The Federation of Irish Sport.

The policy covers both personal and sensitive personal data held in relation to data subjects by The Federation of Irish Sport and applies equally to personal data held in manual and automated form.

All personal and sensitive personal data will be equally referred-to as personal data in this policy, unless specifically stated otherwise.

Principles of Data Protection

To comply with the law, Personal Data must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. In order to do this, The Federation of Irish Sport must comply with the eight Principles of Data Protection as follows:

[\(1\) Obtain and Process Personal Data Fairly](#)

- The Federation of Irish Sport will ensure that it collects and processes (or uses) Personal Data fairly.
- Consent of the data subject, if required, will be presented in a manner which is clearly distinguishable, in an intelligible and easily accessible form and using clear and plain language and will comply with the following requirements



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- **Unbundled:** Consent requests must be separate from other terms and conditions. Consent should not be a precondition of signing up to a service unless necessary for that service.
 - **Active opt-in:** Pre-ticked opt-in boxes are invalid – use unticked opt-in boxes or similar active opt-in methods (e.g. a binary choice given equal prominence).
 - **Granular:** Give granular options to consent separately for different types of processing wherever appropriate.
 - **Named:** Name your organisation and any third parties who will be relying on consent – even precisely defined categories of third-party organisations will not be acceptable under the GDPR.
 - **Easy to withdraw:** Tell people they have the right to withdraw their consent at any time, and how to do this. It must be as easy to withdraw as it was to give consent. This means you will need to have simple and effective withdrawal mechanisms in place.
- Forms (either paper or electronic) requesting Personal Data issued by The Federation of Irish Sport will state what the data will be used for and who will have access to the data.
 - Secondary or future uses of the data, which might not be obvious to individuals, will be brought to their attention at the time of obtaining personal data.
 - If The Federation of Irish Sport has data about individuals and wishes to use it for a new purpose (not disclosed or perhaps even contemplated at the time the data was collected) individuals will be given an option to indicate whether or not they wish their data to be used for the new purpose, except in



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exceptional circumstances where The Federation of Irish Sport is obliged by law to process such Personal Data.

(2) Lawful, Fair and Transparent Data Processing

- The Federation of Irish Sport cannot keep data about individuals unless it is held for a specific, lawful and clearly stated purpose. It is therefore unlawful to collect data about individuals routinely and indiscriminately without having a clear and legitimate purpose for doing so.
- The Federation of Irish Sport will state at the point of data capture or collection on paper and electronic application forms and, registration forms, membership forms etc. the purpose for collecting the information, that the information will be processed and kept only in a manner compatible with that purpose and that the obtaining, processing and retention of such information will be in accordance with the Acts.

(3) Use and disclose data only in ways Compatible with the purposes for which the data was initially given

- The Federation of Irish Sport will only use and disclose data in ways that are necessary or compatible with the purposes for which the data was obtained. Personal Data obtained for a particular purpose may not be used for any other purpose.
- The Federation of Irish Sport may not divulge the Personal Data to a third party, except in ways that are compatible with the specified purpose. The Federation of Irish Sport will use and disclose Personal Data in a way in which those who supplied the data would expect it to be used and disclosed.



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Where an external data processing company is used, e.g. computerised online ticketing, The Federation of Irish Sport will have in place a written contract as required by the Acts, which details the data to be processed, how long the data is to be stored, what the company may do with the data, what security standards should be in place and what verification and audit procedures may apply. Informal and/or ad hoc arrangements are not acceptable where Personal Data is involved.

(4) Keep data safe and secure

High standards of physical and technical security are essential to protect the confidentiality of Personal Data. The Federation of Irish Sport will take appropriate security measures to protect against unauthorised access to, or alteration, disclosure or destruction of data and its accidental loss or destruction. These measures include:

- All employees are required to meet these standards.
- Staff members are required to lock their computers when leaving their desks, to log out of the computer system and lock away paper files. Information on computer screens and paper files should be hidden from callers to the Federation of Irish Sport office and all passwords shall be kept secure and not disclosed to any other individual, including other employees.
- Ensuring that Personal Data is protected by strong encryption when being stored on portable devices (laptops, iPads, iPhones, android phones, blackberries, PDAs, etc.) or transferred electronically (including via email).
- Ensuring that Personal Data is not stored on portable devices except in essential circumstances. When deemed essential, Personal Data will be encrypted and a record kept of the nature, extent and reasons for Personal Data on a portable device.



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Arrangements will be put in place to delete the Personal Data completely from the portable device when it is no longer essential.

- Automatic time out occurs when system terminals are idle for a predetermined time period.
- Audit logs will be kept in relation to changes, additions and deletions to specific Personal Data on key IT systems. The Federation of Irish Sport in co-operation with IT will assess the requirement to monitor access to applications with Personal Data to ensure that appropriate monitoring is undertaken.
- Ensuring that appropriate facilities are in place for disposal of confidential waste.
- Arranging for appropriate procedures for the disposal of computer equipment to ensure the satisfactory deletion or removal of all Personal Data.
- Keeping premises secure, especially when unoccupied.
- Having appropriate firewall, anti-virus and other computer security systems to protect against external infection or breach.
- Having strict protocols in place for remote access to Personal Data held on The Federation of Irish Sport servers.
- Having appropriate data protection clauses and agreements in place in contracts with any external Data Processors of Personal Data on The Federation of Irish Sports behalf.
- Ensuring access to and use of information is restricted to authorised staff only in The Federation of Irish Sport.



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[\(5\) Keeping data accurate and up to date](#)

The Federation of Irish Sport will ensure that all personal data collected and processed is kept accurate and up to-date. The accuracy of data will be checked when it is collected. Where any inaccurate or out-of-date data is found, all reasonable steps will be taken without delay to amend or erase that data, as appropriate. If The Federation of Irish Sport has disclosed the personal data in question to third parties, The Federation of Irish Sport will inform them of the required rectification, where possible.

- Remind employees on an annual basis to inform The Federation of Irish Sport of any changes to their details
- Conduct periodic reviews and audits to ensure that relevant data is kept accurate and up-to date.
- If the lawful basis for a processing activity is consent then The Federation of Irish Sport will review and refresh it at appropriate intervals, taking into account the particular context, including people's expectations, whether we are in regular contact, how disruptive repeated consent requests would be to the individual. The Federation of Irish Sport will also consider whether more frequent updates would ensure an improved level of trust and engagement but it will refresh consent at least every two years. However, consent will be refreshed to reflect any changes.
- Amend inaccuracies in data which have been notified to The Federation of Irish Sport by the Data Subject or is revealed as a result of a subject access request.

[\(6\) Ensure data is relevant, adequate and not excessive](#)

- The Federation of Irish Sport will ensure that Personal Data obtained and held will be the minimum amount necessary for the specified purpose and no more.



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- We will strive to ensure that we can justify to an individual why we hold every piece of information about them.

(7) Retain data for no longer than is necessary for the specified purpose(s)

The Federation of Irish Sport follows this storage limitation principle and does not keep personal data for any longer than is necessary in light of the purposes for which that data was originally collected and processed.

The Federation of Irish Sport will develop a defined policy on retention periods for Personal Data and put appropriate management, administrative and IT procedures in place to implement such a policy. This policy will include procedures for the secure destruction of out of date Personal Data, e.g. confidential shredding of paper files, wiping disks clean before disposal, etc.

Retention times cannot be rigidly prescribed to cover every situation and The Federation of Irish Sport will exercise judgement, taking account of its legal obligations and best practice in this regard in relation to each category of record held. However, the following particular legal requirements should be met:

1. Pay, taxation and related employment records should be retained in accordance with the various time periods set out in the various Acts and Statutory Instruments governing taxation and employment law.
2. Health & Safety records should be retained for as long as required under the relevant legislation.



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3. Where litigation may potentially arise in the future, e.g. in relation to personal injuries involving employees or the public on The Federation of Irish Sports property, the relevant records should be retained until the possibility of potential litigation ceases.

Note: The Statute of Limitations in relation to personal injuries is currently two years. The limitation period for other causes of action varies but in most cases is not greater than six years. A limitation period does not begin to run until the person concerned acquires knowledge of the facts giving rise to the claim or in the case of a minor 2 years after he/she reaches the age of majority.

(8) Comply with individuals request for a copy of his/ her personal data

- Individuals have the right to periodically review, update and/or correct their Personal Data held by The Federation of Irish Sport and may do this by making an Access Request. The right of access does not include a right to see Personal Data about another individual without their consent.
- The Federation of Irish Sport CEO is the only person authorised to respond to Access Requests received by The Federation of Irish Sport. Any employee who receives an Access Request must forward the request as soon as possible to the Company CEO, Mary O'Connor by email at mary.oconnor@irishsport.ie to ensure compliance with the 1 month time limit required by the Acts.
- Should any individual (employee, federation member, etc.) wish to access their Personal Data they should contact the company CEO in writing stating that they are making an Access Request (please see policy), giving any details which might be needed to help identify him/her and locate all the information the Federation of Irish



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Sport may keep about him/her e.g. previous addresses, organisation they are associated with etc. The individual is entitled to:

1. a copy of the data;
 2. a description of the purposes for which it is held;
 3. a description of those to whom the data may be disclosed; and,
 4. the source of the data unless this would be contrary to public interest.
- In addition, The Federation of Irish Sport will explain to the individual the logic used in any automated decision making process where the decision significantly affects the individual and the decision is solely based on the automated process.
 - There will be no fee charged for an Access Request. However, a “reasonable fee” may be charged when a request is manifestly unfounded, excessive or repetitive. A copy of the information requested must be provided without delay and within 1 month of receipt of the request.
 - For excessive, unfounded or repetitive requests The Federation of Irish Sport may refuse to comply. The Federation of Irish Sport must explain to the individual why they’re refusing to comply, and let them know of their right to appeal.

Transferring personal data to a country outside the EEA

The Federation of Irish Sport shall not transfer Personal Data to a country outside the EEA (European Economic Area) unless that country or territory ensures an adequate level of protection for the rights of data subjects in relation to the processing of Personal Data. If the country of transfer is not recognised by the ODPC (The Office of the Data Protection Commissioner) as having appropriate protection, then The Federation of Irish Sport will ensure other measures are adopted.



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Data breach notification and management

Instances of a breach or suspected breach (i.e. the loss, unauthorised disclosure, alteration or access of Personal Data including the loss of any mobile device such as a laptop or iPhone/android on which Federation of Irish Sport data is stored), a breach of the data protection rights of the individual, the Principles of Data Protection or this policy should be reported to the Federation of Irish Sport CEO as soon as the incident has been identified.

This is to ensure that The Federation of Irish Sport can abide by the ODPC guidance on breach notification. In some instances, breaches resulting in the loss, unauthorised disclosure, alteration or access of data may need to be notified to the ODPC and the data subject affected.

The Federation of Irish Sport CEO will be responsible for the management of the breach or potential breach, investigating the cause and ensuring the necessary remediation (with guidance from the board) steps are implemented.

A log of all Data Protection related incidents will be maintained.

All breaches must be reported to the Data Protection Commissioner within 72 hours, unless the data was anonymised or encrypted. In practice this will mean that most data breaches must be reported to the DPC. Breaches that are likely to bring harm to an individual – such as identity theft or breach of confidentiality – must also be reported to the individuals concerned. Failure to report a breach when required to do so could result in a fine, as well as a fine for the breach itself.



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Policy has been approved

This Policy will be reviewed and updated on an annual basis, or sooner if deemed necessary.

This policy has been approved and authorised by:

Name: Mary O'Connor

Position: CEO Federation of Irish Sport

Date: 25th May

Signature:



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Definitions

For the avoidance of doubt, and for consistency in terminology, the following definitions will apply within this Policy:

- **Data** - This includes both automated and manual data. Automated data means data held on computer, or stored with the intention that it is processed on computer. Manual data means data that is processed as part of a relevant filing system, or which is stored with the intention that it forms part of a relevant filing system.
- **Pseudonymous Data** - This data is still treated as personal data because it enables the identification of individuals albeit via a key.
- **Anonymous Data** - This data is rendered anonymous because there is no way that an individual can be identified from this data. Therefore, the GDPR does not apply to such data.
- **Personal Data** - Any information relating to an identified or identifiable natural person (data subject); an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person.
- **Sensitive Personal Data** - A particular category of Personal data, relating to: Racial or Ethnic Origin, Political Opinions, Religious, Ideological or Philosophical beliefs, Trade Union membership, Information relating to mental or physical health, information in relation to one's Sexual Orientation, information in relation to commission of a crime and information relating to conviction for a criminal offence.



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- **Data Controller** - A person or entity who, either alone or with others, controls the content and use of Personal Data by determining the purposes and means by which that Personal Data is processed.
- **Data Subject** - A living individual who is the subject of the Personal Data, i.e. to whom the data relates either directly or indirectly.
- **Data Processor** - A person or entity who processes Personal Data on behalf of a Data Controller on the basis of a formal, written contract, but who is not an employee of the Data Controller, processing such Data in the course of his/her employment.